T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			30-Sep-08	APPL.	S. N:	10578229			
To Exami	ner:		KLEMANSKI, HELENE	Årt U	nit	1793			
From			Thomas, Deborah PARALEGAL SPCECIALIST	Dron	n This Memo To: Case Off Location	REM8A30			
SUBJECT	r: Decisio	on on Terminal	Disclaimer(T.D.) filed:		•				
form para	agraphs i	dentified by thi	is informal memo in your e me or the Special Progr	next Office ac	set forth below. If you a ction to notify applicant of . THIS IS AN INFORMAL, D IN THE APPLICATION F	f the T.D. If you disagr INTERNAL MEMO ONL`	ee Y.		
please in	itial, date	and return thi	s memo to me. THANK Y	ου.			,		
v	The T.D.	The T.D. is PROPER and has been recorded (see 14.23).							
	The T.D.	The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):							
		The TD fee of use of a depor)	ibmitted nor i	s there any authorization	in the application file f	or the		
	The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the exten his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).					tent of e)			
			the enforceable only dur ing rejection, Rule 321(b)		ownership clause – neede 91).	ed to overcome a non-s	statutory		
	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a ter portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).						r a terminal		
		The person w	ho signed the T.D.:			·			
		is no	ot an attorney "of record"	(see 14.29 ar	nd 14.29.01).				
		has	failed to state his/her cap	acity to sign t	or the business entity (se	ee 14.28).			
		is no	t recognized as an officer	r of the assigr	ee (see 14.29 & possible	14.29.02).			
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).							
		The T.D. is no	t signed (see 14.26 & 14	.26.03).		•			
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).							
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).							
		The period dis	sclaimed is incorrect or no	ot specified (se	ee 14.26, 14.27.02 or 14.	.26.03).			
		Other:							
	\Box	Suggestion to and do not ch		B6). NOTE: If	already authorized, credit	refund to deposit acco	ount		
I have a	ppropriate	ely notified app	licant(s) of the status of	the Terminal I	Disclaimer filed in this cas	se.			
Ex.Initial	ls:	Date	e:			Log Date:			

~Application Number	Application/Control No.		Applicant(s)/Patent under Reexamination TAGUCHI ET AL						
Document Code - DISQ	Internal Doc		cument – DO NOT MAIL						
·									
TERMINAL DISCLAIMER	☑ APPROVED		□ DISAPPROVED						
Date Filed : September 2, 2008	This patent is subject to a Terminal Disclaimer								
Approved/Disapproved by:									
Henry D. Jefferson									

U.S. Patent and Trademark Office

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT

Docket Number

Q94641

In re Application of:

Toshiki TAGUCHI, et al.

Application No.:

10/578,229

Filed:

May 4, 2006

For:

BLACK INK AND INK SET FOR INKJET RECORDING

The owner*, FUJIFILM Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent No. 7,208,035 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

expires for failure to pay a maintenance fee;

is held unenforceable;

is found invalid by a court of competent jurisdiction;

is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;

has all claims canceled by a reexamination certificate;

is reissued; or

is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. \square For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

 The undersigned is an attorney or agent of record.

/Sunhee Lee/	September 2, 2008		
Signature		Date	
Sunhee Lee	53,892	202-775-7588	
Typed or printed name	Reg No.	Telephone Number	

Terminal disclaimer fee under 37 CFR 1.20(d) or authorization to charge said fee to Deposit Account No. 19-4880 is included

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q94641

Toshiki TAGUCHI, et al.

Appln. No.: 10/578,229

Group Art Unit: 1793

Confirmation No.: 7575

Examiner: Helene G KLEMANSKI

Filed: May 4, 2006

For:

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SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. The statutory fee of \$130.00 is being charged to Deposit Account No. 19-4880 via EFS payment screen. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Sunhee Lee/

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WASHINGTON DC SUGHRUE/265550 65565

Date: September 2, 2008

Sunhee Lee

Registration No. 53,892